IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Application No.1124 of 2005

The State of Maharashtra .. .. Applicant

v/s.

Kisan Nathu Pardeshi & ors. .. .. Respondents
(Org.Accused Nos.1 to 6)

Dr.F.R. Shaikh, Additional Public Prosecutor for the Applicant.
None for Respondents.

CORAM : DR.S. RADHAKRISHNAN &
SMT.ROSHAN DALVI, JJ.

Dated : 26th September, 2007

P.C. :

1. Heard the learned Additional Public Prosecutor for the Applicant- State. None for the Respondents.

2. Issue Notice to Respondent Nos.2, 5 and 6 at the concerned jail. The learned Additional Public Prosecutor has filed an Affidavit indicating that Respondent Nos.1, 3 and 4 have already been served.

3. An Appeal is filed against the order of acquittal of the Respondents (original Accused Nos.1, 3 and 4), who are acquitted of the offences punishable under Sections 3(1)(i)

and 3(2) of Maharashtra Control of Organised Crimes Act, 1999. Hence, action under Section 390 of Criminal Procedure Code, 1973, be also initiated against them.

4. This Application seeking leave to file an Appeal stands disposed of since the leave has been granted.

(DR.S. RADHAKRISHNAN, J.)

(SMT.ROSHAN DALVI, J.)